

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 2599 PCT	FOR FURTHER ACTION <small>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</small>	
International application No. PCT/US 01/ 02043	International filing date (day/month/year) 18/01/2001	(Earliest) Priority Date (day/month/year) 18/01/2000
Applicant TYCO HEALTHCARE GROUP LP et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

1

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/02043

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61B17/11 A61B17/115

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 0 885 595 A (UNITED STATES SURGICAL CORP) 23 December 1998 (1998-12-23) the whole document ---	1,2,8, 12,17
A	US 5 707 380 A (HINCHLIFFE PETER W J ET AL) 13 January 1998 (1998-01-13) column 4, line 56 -column 7, line 60; figures 1-5A ---	1,2,8, 12,17
A	US 5 957 363 A (HECK CHRISTOPHER FRANCIS) 28 September 1999 (1999-09-28) column 4, line 22 - line 30; figures 1,12 ---	1,12
A	US 5 904 697 A (COSTA PETER F ET AL) 18 May 1999 (1999-05-18) column 16, line 14 - line 27; figures 6A-6C --- -/--	1,12

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

2 July 2001

Date of mailing of the international search report

11/07/2001

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Authorized officer

Ducreau, F

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/02043

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	FR 2 777 446 A (PEROUSE IMPLANT LAB) 22 October 1999 (1999-10-22) claim 1; figures 1,4 -----	1,12,13
A	US 5 993 468 A (RYGAARD JOERGEN A) 30 November 1999 (1999-11-30) figures 2-4 -----	1,12

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 01/02043

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 25-29
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 01/02043

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0885595 A	23-12-1998	US 6024748 A	15-02-2000
		AU 7190398 A	24-12-1998
		CA 2240638 A	17-12-1998
		JP 11070114 A	16-03-1999
		US 6083234 A	04-07-2000
US 5707380 A	13-01-1998	AU 722259 B	27-07-2000
		AU 2943797 A	29-01-1998
		CA 2210617 A	23-01-1998
		DE 69701339 D	06-04-2000
		DE 69701339 T	24-08-2000
		EP 0820725 A	28-01-1998
		ES 2143273 T	01-05-2000
		JP 10118078 A	12-05-1998
		US 6083234 A	04-07-2000
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		AU 696332 B	10-09-1998
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		JP 10507650 T	28-07-1998
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US 5904697 A	18-05-1999	US 5817113 A	06-10-1998
		US 5695504 A	09-12-1997
		US 6171321 B	09-01-2001
		US 2001001122 A	10-05-2001
		AU 708815 B	12-08-1999
		AU 4978196 A	11-09-1996
		CA 2213580 A	29-08-1996
		EP 0957775 A	24-11-1999
		JP 11500642 T	19-01-1999
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		AT 188862 T	15-02-2000
		AU 701033 B	21-01-1999
		AU 3801795 A	22-05-1997
		DE 69514694 D	24-02-2000
		DE 69514694 T	27-07-2000
		DK 859572 T	26-06-2000
		EP 0859572 A	26-08-1998
		ES 2145303 T	01-07-2000
		JP 11502753 T	09-03-1999

Information on patent family members

PCT/US 01/02043

Form PCT/ISA/210 (patent family annex) (July 1992)

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 02/00345

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61B17/115 A61B17/11 A61B17/32

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 643 946 A (UNITED STATES SURGICAL CORP) 22 March 1995 (1995-03-22)	1,8,9
A	column 5, line 34 -column 6, line 23	7
Y	WO 00 69343 A (HENDRICKSEN MICHAEL ;NIELSEN JAMEY (US); HAUSEN BERNARD (US); VARG) 23 November 2000 (2000-11-23)	1-6,8
A	page 14, line 12 -page 18, line 4; figures 14-24	7
Y	EP 0 885 595 A (UNITED STATES SURGICAL CORP) 23 December 1998 (1998-12-23)	1-6,8
	column 9, line 47 -column 10, line 13	
X	US 6 083 234 A (SMITH ROBERT C ET AL) 4 July 2000 (2000-07-04)	1
	the whole document	
	-/-	

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- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

Z document member of the same patent family

Date of the actual completion of the international search

24 May 2002

Date of mailing of the international search report

05/06/2002

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